



**Sari B. Placona**  
**Direct Dial: (973) 721-5030**  
[splacona@msbnj.com](mailto:splacona@msbnj.com)

35240-001

April 28, 2025

**Via ECF**

Honorable Jerrold N. Poslusny, Jr.  
United States Bankruptcy Court  
Mitchell H. Cohen U.S. Courthouse  
400 Cooper Street, 4th Floor  
Camden, New Jersey 08101

**Re: Daryl Fred Heller; Chapter 11; Case No. 25-11354 (JNP)**  
**Adv. Pro. No. 25-01128 (JNP)**

Dear Judge Poslusny:

As Your Honor is aware, this firm represents Daryl Fred Heller, the Chapter 11 debtor and debtor-in-possession (the “Debtor”) in the above referenced matter. The purpose of this letter is to provide Your Honor with a status update of the adversary proceeding captioned *Prestige Fund A, LLC, et al. v. Daryl Heller and Heller Capital Group, LLC*, Adv. Pro. No. 25-01128 (JNP) (“Heller Capital Proceeding”). The Debtor submits this letter in lieu of an appearance before Your Honor on April 29, 2025.

On January 24, 2025, Plaintiff Prestige Fund A, LLC, *et al.*<sup>1</sup> (“Prestige Parties”) filed a complaint in the Court of Common Plea of Lancaster County, Pennsylvania, bearing Case No. CI-25-00491 (the “PA Action”), against the Debtor and Heller Capital Group, LLC<sup>2</sup> (the “Heller Parties”). From the filing of the PA Action to the present, there have been no further proceedings in the PA Action.

On March 25, 2025, the Debtor filed a Notice of Removal seeking to remove the PA Action to the bankruptcy court under Title 28 of the United States Code, Sections 1334(b) and 1452(a), Federal Rule of Bankruptcy Procedure 9027 and Local Rule of Bankruptcy Procedure

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<sup>1</sup> Prestige consists of the following parties: Prestige Fund A, LLC; Prestige Fund A II, LLC; Prestige Fund A IV, LLC; Prestige Fund A V, LLC; Prestige Fund A VI, LLC; Prestige Fund A VII, LLC; Prestige Fund A IX, LLC; Prestige Fund B, LLC; Prestige Fund B II, LLC; Prestige Fund B IV, LLC; Prestige Fund B V, LLC; Prestige Fund B VI, LLC; Prestige Fund B VII, LLC; Prestige Fund B BTM I, LLC; Prestige Fund D, LLC; Prestige Fund D III, LLC; Prestige Fund D IV, LLC; Prestige Fund D V, LLC; Prestige Fund D VI, LLC; Prestige Fund D BTM I, LLC; WF Velocity I, LLC; WF Velocity Fund IV, LLC; WF Velocity Fund V, LLC; WF Velocity Fund VI, LLC; and WF Velocity Fund VII, LLC.

<sup>2</sup> The Debtor is the Chief Executive Officer of Heller Capital Group, LLC.

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9027-1(a) because the PA Action directly relates to claims against the Debtor, in part, and the value of certain unliquidated claims. Adv. Pro. 1.

On March 26, 2025, the Court entered a Notice of Hearing in the Heller Capital Proceeding, thereby scheduling a status conference on the Notice of Removal for April 29, 2025. Adv. Pro. 4.

If Your Honor should require additional information, please advise and we will provide such further information. I thank the Court for its courtesies.

Respectfully submitted.

*/s/ Sari B. Placona*

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